| Notice of Allowability 10659.573 KELLER, RUSSELL D 9 | | Application No. | Applicant(s) | M |
|--|--|---|---|-------------|
| Examiner | Notice of Allowability | 10/659.573 | KELLER, RUSSELL D. | ΔĄ |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address—Alclaims being allowable, PROSECUTION ON THE MERTS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously misled), a Notice of Allowance (PTOL-86) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1:313 and MPEP 1308. 1. ☑ This communication is responsive to the Amendment filed 4/19/04. 2. ☑ The drawings filed on 10 September 2003 are accepted by the Examiner. 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3. ② The drawings filed on 10 September 2003 are accepted by the Examiner. 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3. ② Certified copies of the priority documents have been received. 1. ☐ Certified copies of the priority documents have been received in Application No | | | | |
| The MAILING DATE of this communication appears on the cover sheet with the correspondence address—Alclaims being allowable, PROSECUTION ON THE MERTS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously misled), a Notice of Allowance (PTOL-86) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1:313 and MPEP 1308. 1. ☑ This communication is responsive to the Amendment filed 4/19/04. 2. ☑ The drawings filed on 10 September 2003 are accepted by the Examiner. 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3. ② The drawings filed on 10 September 2003 are accepted by the Examiner. 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3. ② Certified copies of the priority documents have been received. 1. ☐ Certified copies of the priority documents have been received in Application No | | Inner C. Marrow | 0040 | |
| All claims being allowable, PROSECUTION ON THE MERTS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or top nettition by the applicant. See 37 CFR 1:318 and MPEP 1308. 1. ☑ This communication is responsive to the Amendment filed 4/19/04. 2. ☑ The allowed claim(s) isdra 1:11. 3. ☑ The drawings filed on 10 September 2002 are accepted by the Examiner. 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3. ☐ Opinis of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Opinis of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: | | Jason S. Morrow | 3612 | |
| 2. \[\text{The allowed clalm(s) is/are 1-11.} \] 3. \[\text{The drawings filed on } \frac{10 September 2003} \] are accepted by the Examiner. 4. \[\text{Acknowledgment} is made of a claim for foreign priority under 35 U.S. C. § 119(a)-(d) or (f). \] a) \[\text{All n} \] b) \[\text{Sonw} '' c) \] None of the: \[1. \] Certified copies of the priority documents have been received. \[2. \] Certified copies of the priority documents have been received in Application No | All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI | (OR REMAINS) CLOSED in this app or other appropriate communication GHTS. This application is subject to | olication. If not included will be mailed in due cours | |
| 3. ☑ The drawings filed on 10 September 2003 are accepted by the Examiner. 4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No. ☐ 3. ☐ Copies of the certified copies of the priority documents have been received in Application No. ☐ 4. ☐ Certified copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). **Certified copies not received: ☐ Papplicant has THREE MONTHS FROM THE **MAILING DATE* of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.** 5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the eath or declaration is deficient. 6. ☐ CORRECTED DRAWINGS (as *replacement sheets*) must be submitted. (a) ☐ Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) ☐ heretor of 2) ☐ to Paper No./Mail Date ☐ ☐ (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ☐ ☐ (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CPR 1.12(d). **THEE MONTHS PROVENTIES OF A STATE OF A S | 1. X This communication is responsive to the Amendment filed | <u>4/19/04</u> . | | |
| 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) some* c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE *MAILING DATE* of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. CORRECTED DRAWINGS (as *replacement sheets*) must be submitted. (a) Including changes required by the Notice of Deftsperson's Patent Drawing Review (PTO-948) attached 1) Heroto or 2() to Paper No/Mail Date (b) Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No/Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No/Mail Date 4. Examiner's Comment Regarding Requirement for Deposit 6. Examiner's Amendment/Comment 8. Examiner's Amendment/Comment 9. Other PA | 2. ⊠ The allowed claim(s) is/are <u>1-11</u> . | | | |
| a) All b) Some* c) None of the: 1. | 3. $igotimes$ The drawings filed on <u>10 September 2003</u> are accepted by | the Examiner. | | |
| INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. 6. | a) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM | been received. been received in Application No cuments have been received in this of this communication to file a reply | national stage application fr | |
| (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material 9. Other | | | | E OF |
| (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material 9. Other | 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") mus | st be submitted | | |
| 1) hereto or 2) to Paper No./Mail Date | , , , | | 948) attached | |
| (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. Examiner's Comment Regarding Requirement for Deposit of Biological Material 9. Other WSON MORROW PATENT EXAMINER 4 27 42 42 42 42 42 42 42 42 42 42 42 42 42 | | - · | , | |
| each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d). 7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL. Attachment(s) 1. Notice of References Cited (PTO-892) 2. Notice of Draftperson's Patent Drawing Review (PTO-948) 3. Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date | (b) including changes required by the attached Examiner's | | Office action of | |
| Attachment(s) 1. □ Notice of References Cited (PTO-892) 2. □ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. □ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. □ Examiner's Comment Regarding Requirement for Deposit of Biological Material U.S. Patent and Trademark Office | ldentifying indicia such as the application number (see 37 CFR 1. each sheet. Replacement sheet(s) should be labeled as such in tl | .84(c)) should be written on the drawir he header according to 37 CFR 1.121(| ngs in the front (not the back d). |) of |
| 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material U.S. Patent and Trademark Office | | | | he |
| 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material U.S. Patent and Trademark Office | Attachment(s) | | | |
| 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material Paper No./Mail Date 7. ☐ Examiner's Amendment/Comment 8. ☒ Examiner's Statement of Reasons for Allowance 9. ☐ Other WSON MORROW PATENT EXAMINER U.S. Patent and Trademark Office | | 5. Notice of Informal P | atent Application (PTO-152 | <u>'</u>) |
| 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 9. ☐ Other WASON MORROW PATENT EXAMINER U.S. Patent and Trademark Office | 2. Notice of Draftperson's Patent Drawing Review (PTO-948) | | | |
| 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 9. ☐ Other | 3. Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date | Paper No./Mail Dat 08), 7. ☐ Examiner's Amendr | | |
| U.S. Patent and Trademark Office | 4. Examiner's Comment Regarding Requirement for Deposit | // | ent of Reasons for Allowand | :e |
| | of Biological Material | , ASON MC | | |
| | | otice of Allowability | Part of Paper No /Mail Da | te 20040428 |

Application/Control Number: 10/659,573

Art Unit: 3612

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The primary reason for the allowance of the independent claims is the inclusion of the limitations directed to the downdraft duct terminal end having a ramped exhaust port including an internal deflector ramp. Such limitations, in combination with the rest of the limitations of the claim, are not disclosed or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (703) 305-7803. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (703) 308-3102. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/659,573

Art Unit: 3612

Jason S. Morrow Examiner Art Unit 3612

April 28, 2004

JASON MORROW
PATENT EXAMINER

4/28/04

D. GLENN DAYOAN SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3600